

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DWAYNE STRINGER,

Plaintiff,

No. 12-CV-12124-DT

vs.

Hon. Gerald E. Rosen

MICHAEL LENNOX,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on March 28, 2013

PRESENT: Honorable Gerald E. Rosen
United States District Chief Judge

This Section 1983 prisoner civil rights matter having come before the Court on the February 1, 2013 Report and Recommendation of United States Magistrate Michael Hluchaniuk recommending that the Court grant motion for summary judgment filed by Defendant Michael Lennox; and Plaintiff having timely filed objections to the Magistrate Judge's Report and Recommendation and Defendant having responded; and the Court having reviewed the Magistrate Judge's Report and Recommendation, Plaintiff's Objections, Defendant's Response and the Court's entire file of this action, and having concluded that, for the reasons stated in the Report and Recommendation, Defendant's motion for summary judgment should be granted and this case should, accordingly, be dismissed in its entirety,

without prejudice; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of February 1, 2013 [**Dkt. # 22**] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that Defendant Michael Lennox's Motion for Summary Judgment [**Dkt. # 9**] be, and hereby is, GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Complaint is DISMISSED in its entirety, without prejudice.

IT IS FURTHER ORDERED that, based on the reasons set forth in the Magistrate Judge's Report and Recommendation of February 1, 2013, this Court certifies that any appeal by Plaintiff would be frivolous and not in good faith. 28 U.S.C. § 1915(a).

s/Gerald E. Rosen

Chief Judge, United States District Court

Dated: March 28, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 28, 2013, by electronic and/or ordinary mail.

s/Julie Owens

Case Manager, (313) 234-5135